

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHNNY KENNEDY,

Plaintiff,

v.

BRUCE L. CURTIS, *et al.*,

Defendants.

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Case No. 08-10267

DISTRICT JUDGE  
ARTHUR J. TARNOW

MAGISTRATE JUDGE  
DONALD A. SCHEER

**ORDER**  
**ADOPTING THE MAGISTRATE'S REPORT AND RECOMMENDATION [42],**  
**GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT [34],**  
**and**  
**DISMISSING THE CASE**

Before the Court is the Magistrate Judge's Report and Recommendation [42], filed on August 5, 2010, regarding Defendants' Motion for Summary Judgment [34]. The Magistrate Judge recommends that the motion be granted. Plaintiff did not oppose Defendants' Motion, and no party has filed objections to the Report and Recommendation.

There having been no objections, and the Court being fully advised in the premises,

**IT IS ORDERED** that the Report and Recommendation [42] is **ADOPTED**, and is hereby entered as the findings of the Court.

Accordingly, Defendants' Motion for Summary Judgment [34] is **GRANTED**.

The case is hereby **DISMISSED**.

**SO ORDERED.**

S/ARTHUR J. TARNOW

Arthur J. Tarnow

Senior United States District Judge

Dated: August 27, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record and Johnny Kennedy, 139041 Cooper Street Correctional Facility, 3100 Cooper Street, Jackson, MI 49201 on August 27, 2010, by electronic and/or ordinary mail.

S/LISA M. WARE

Case Manager